

**ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL
FINAL PLANNED UNIT DEVELOPMENT**

CU2004-0024 COVINGTON PARK PUD

Decision Criteria for a Conditional Use

Section 40.15.05. Conditional Use Applications; Purpose

The purpose of a Conditional Use application is to allow uses on a case by case basis which warrant special review because of their size or operation. These uses are subject to the conditional use regulations because they may, but do not necessarily, cause significant adverse effects on the environment, overburden public services, change the character of an area, create or foster nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts these uses may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions specifying mitigation measures to address identified impacts, or to deny the use if the impacts are substantial and the impacts cannot be mitigated. A Preliminary, Final, or both Planned Unit Development approval may allow adjustment, variance, or both to Site Development Requirements in Chapter 20 (Land Uses) without the necessity for separate Adjustment or Variance application, findings, and approvals. This Section is carried out by the approval criteria listed herein.

Section 40.15.15.6.C. Approval Criteria:

In order to approve a Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Final PUD application.***

Facts and Findings:

Section 40.15.15.6.A Threshold: An application for Final Planned Unit Development of a Conditional Use shall be required when one or more of the following thresholds apply:

- 1. "A Final Planned Unit Development (PUD) application is the second application of a two-step application process with a Preliminary PUD as the first step. A Final PUD application may also be a one-step application process which is an alternative to the two-step*

process required when an applicant chooses to apply for a Preliminary PUD. The option of a one-step or two-step process rests with the applicant. The requirements for a Final PUD may be applied to properties within any City zoning district except Residential-Agricultural.”

The applicant proposes a one-step Final Planned Unit Development application process for the Covington Park development. Planned Unit Developments are conditionally permitted in the R2 zoning district.

Therefore, staff find that the criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

Facts and Findings:

The applicant paid the required associated fees of \$1,274.00 for a Type 3 Conditional Use Planned Unit Development (PUD) application on November 4, 2004. The fees have been submitted; therefore staff find the criterion for approval has been met.

Therefore, staff find that the criterion is met.

3. *If a Preliminary PUD has been approved, the Final PUD is filed within two (2) years or the Preliminary PUD has received an extension approval pursuant to Section 50.93 of this Code.*

Facts and Findings:

The Development Code allows applicant to file directly for a Final PUD. The applicant does not propose a Preliminary PUD, therefore the above criteria is not applicable.

Therefore, staff find that the criterion is met.

4. *The final PUD complies with the approved Preliminary PUD, if any.*

Facts and Findings:

The applicant does not propose a Preliminary PUD, therefore the above criteria is not applicable.

Therefore, staff find that the criterion is not applicable.

5. ***The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless the setbacks are approved as an Adjustment, Flexible Setback or Variance which shall be considered concurrently with the subject proposal.***

Facts and Findings:

The dimensional standards for the site's zoning district R2 may be modified through approval of this Planned Unit Development (PUD) application; provided that the parent parcel's required setbacks for its zoning district are met, and that intersection standards shown in the Engineering Design Manual are satisfied. The setbacks of the parent parcel have been maintained:

Ten (10) feet for the front setback to SW 155th Avenue.

Ten (10) feet for side yard setback to north and south property lines.

Fifteen (15) feet for the rear setback to west property line.

Although there is a minimum ten (10) foot setback requirement for buildings along the southerly property line, the applicant has proposed a greater setback of fifteen (15) feet for all buildings along that southerly property line. Staff find the increased setback will assist in providing a comparable setback from the R2 to the abutting R5 property. A condition of approval is recommended through the Table below to ensure the fifteen (15) foot setback is met.

Per Development Code Section 20.05.50.3.E minimum spacing in feet between buildings in the same development must be eight (8) feet. The applicant has indicated that the construction of the homes will meet the eight (8) foot spacing requirement.

Staff recommend the Commission adopt Table 1 as a condition of approval for minimum setback and driveway lengths for the development.

Parent Parcel Perimeter Minimum Setback and Driveway Length Requirements	
Lot Nos.	Perimeter Setback Requirement
1	Side yard to 155 th Ave min. 10 feet
1 through 11	Rear yard to north min. 10 feet
12	Side yard to north min. 10 feet
12 through 21	Rear yard to west min. 15 feet
22 through 31, and 46	Rear yard to south min. 15 feet

43 through 45 All structures	Rear yard to 155 th Ave min. 10 feet 8 feet spacing between all structures and minimum of 18.5 feet from garage door to back of sidewalk or a maximum of 5 feet from garage door to back of sidewalk or back of curb if no sidewalk.
---------------------------------	--

Table 1. Setback requirements are for all dwellings as well as any other form of structure that must meet setbacks as defined by the City of Beaverton's Development Code.

The applicant has not requested any Adjustments, Flexible Setbacks, or Variances with the proposed development, thereby the parent parcel requirements will be either be achieved or exceeded through the condition of approval.

Therefore, staff find that by satisfying conditions, the criterion is met.

6. *The proposal will comply with the applicable policies of the Comprehensive Plan.*

Facts and Findings:

The Beaverton Comprehensive Plan (Plan) is not intended to be a site specific document. Therefore, the Planning Commission must determine whether a particular specific conditional use request, such as the Final Planned Unit Development, for phased development, would be in conformance with the Comprehensive Plan.

Below, staff have determined the following Comprehensive Plan policies to be applicable in response to this request for Conditional Use approval. For the purpose of clarification herein, each Goal or Policy of the Comprehensive Plan is shown in *italics* followed by staff findings in response thereof. Reference is also provided to the applicant's narrative response to the identified policies of the Plan. Staff notes that to satisfy the Conditional Use request Criterion #6, the applicant is only required to demonstrate how the proposal will comply with the applicable "policies" of the Comprehensive Plan. For this reason, "goals" of the Comprehensive Plan are not applicable except that a goal may be considered in determining the purpose of related policies.

3.13 *Residential Neighborhood Development*

3.13.1 *Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.*

Policies:

a) Regulate residential development to provide for diverse housing needs by

creating opportunities for single and multi-family development of various sizes, types and configurations.

- b) Encourage a variety of housing types in residential areas, by permitting or conditionally permitting any housing type (one, two or more, family dwellings) within any zoning district so long as the underlying residential density of the zoning district is met. Accessory dwelling units shall not be considered in the calculation of the underlying housing density.*

The applicant proposes to develop a 46-lot Planned Unit Development (PUD) which will provide single family detached housing on fee ownership lots, on property designated as Residential Neighborhood Medium Density plan designation and R2 zoning. The City's minimum and maximum density requirements for the site of 46 and 78 units respectively will be achieved. The policy does not require the PUD to provide a variety of housing types within a specific development, but instead provides general encouragement for housing variety. No specific housing types have been submitted. The applicant states however, the lot sizes will provide for varied housing sizes with double and single car garages, with or without driveways, and six rear loaded homes accessed through an alleyway designated as Tract C. The R2 zone provides the opportunity for attached, detached or multi-family dwellings. The proposed single family detached homes are on lots with an average parcel size of approximately 1900 square feet. The Avalon development to the north (zoned R2) contains attached units, and abutting properties to the south and west have zone designations of R5 with single family detached homes. The proposal meets minimum density with a housing product complimenting the surrounding developments characteristics by providing single family detached dwellings. In addition, the PUD provides common open space benefiting the development. The applicant does not indicate that any accessory dwelling units are proposed with the development. The proposal of detached dwellings meets the intent of the policies, as detached homes are a housing option in the R2 zone. Nearby, R2 developments have attached homes. The City's Development Code provides the opportunity for diverse housing types and configuration, this proposal meets the policies' intent.

- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.*

<i>Residential Neighborhood Designations</i>	<i>Net Square Feet per Dwelling Unit</i>
<i>Low Density</i>	<i>10,000 – 12,500</i>
<i>Standard Density</i>	<i>5,000 – 8,750</i>
<i>Medium Density</i>	<i>2,000 – 4,999</i>
<i>High Density</i>	<i>1,000 – 1,250</i>

The City's Land Use Map including the residential neighborhoods have been acknowledged by Metro and are found to be consistent with Metro's 2040 Growth Concept Map. The site has a Land Use Plan Designation of Medium Density Residential. The R2 zoning district has a minimum residential density of one (1) dwelling unit per 2,000 square feet. The proposal will allow for a mix of lot sizes in accordance with the underlying residential zoning. Lot sizes average approximately 1,900 square feet. Minimum density of the site is 46 units while the maximum density requirement is 78 units. The proposal for approval of 46 units meets the minimum and does not exceed the maximum density requirements, and is therefore consistent with the City's housing target implementing strategy.

- e) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*

R2 - Urban Medium Density is a zoning district identified in the Neighborhood Residential Medium Density Land Use Designation of the Zoning District Matrix of the Comprehensive Plan Subsection 3.14. The zoning district R2 is consistent with the Comprehensive Plan Designation, as identified in the Plan's Zoning District Matrix.

- f) *New Commercial zoning districts are not allowed within Residential Neighborhood Standard and Low Density land use designations. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified in the Development Code.*

Commercial zoning is not proposed due to the Residential Neighborhood Standard Density designation on the site.

- g) *Enhance the City's landscape through design measures considering the natural setting of the land and the character of existing residential neighborhoods.*
- h) *Foster innovation and variety in design to enhance the visual character of the*

City's landscape. Innovation in design can include designing infill structures to integrate into existing neighborhoods through compatible scale, similar design features, and similar setbacks.

The western edge of the site has a designated Significant Tree Grove, whereby no disturbance is proposed to the tree grove. Staff find the proposed PUD provides common open space, which the applicant has sited in a combination of three (3) tracts, including an open space centrally located and two (2) tracts near the 155th Avenue frontage. A condition of approval is recommended to ensure lawn is planted in the areas where the submitted landscape plan does not illustrate vegetative material in Tract B and G. The proposed single family detached dwelling development is appropriate design on this site to enhance the City's landscape between the existing single family neighborhood to the south and west, and to the attached neighborhoods to the north and east of the site. The applicant has provided a cross-section showing that the development will be reasonably compatible with the abutting properties in scale and height, while providing the required common open space, meeting or exceeding the parent parcel setbacks, and provide the minimum density of 46 units.

- i) Residential development, in compliance with regional mandates, shall achieve at least 80% of the maximum density allowed in the respective zoning districts as applied through 3.14 Comprehensive Plan and Zoning District Matrix.*

Minimum density of the site is 46 units while the maximum density requirement is 78 units. The proposal for approval of 46 units meets the minimum and does not exceed the maximum density requirements, therefore meets this policy.

STANDARD DENSITY RESIDENTIAL DEVELOPMENT:

3.13.3 Goal: Establish Medium Density Residential areas for single family attached and detached, and multiple-family developments..

Policies:

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix*

R2 Urban Medium Density zone is identified in the Neighborhood Residential Medium Density Land Use Designation of the Zoning District Matrix of the Comprehensive Plan Subsection 3.14. The zoning district of R2 is consistent with the respective Comprehensive Plan Designations, as identified in the Plan's Zoning District Matrix.

4.2.2 Availability of Housing Types

4.2.2.1 Goal: Provide an adequate variety of quality housing types to serve Beaverton's citizenry.

Policies:

- a) *Allow development of a wide variety of housing types in the City.*
- b) *Maintain the quality and safety of existing Beaverton housing stock.*

The City allows a wide variety of housing types. The applicant states that the project will offer varied housing types through different size homes, vehicle spaces in and out of the garage, and garage orientation. Staff find that even though the applicant does not propose specific designs at this point, the varied lot sizes for single family detached homes and garage orientation of the homes in the R2 zone meets the intent of these policies, while the proposal will not jeopardize the quality and safety of the existing Beaverton housing stock. This proposal provides single family detached housing which, in addition to attached condominium and townhouse, is found in the 155th and Weir/Nora road neighborhood.

5.4.1. Goal: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policies:

- b) *On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.*
- c) *All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.*

Staff cite the applicant's plans and narrative, and the findings of Facilities Review criterion #1, and associated recommended conditions of approval for the proposed stormwater management system. The on-site storm system proposal includes water quality through the use of stormfilter catch basins and one storm filter manhole for water quality treatment of stormwater runoff. The proposal includes approximately 400 feet of four (4) foot diameter pipes for water quantity located in the southeastern corner of the site. The applicant has submitted a preliminary stormwater report stating that the system will be designed to meet the City of Beaverton's and Clean Water Services standards. The Committee has found the preliminary report and associated utility plans are adequate in addressing the site's on-site surfacewater management (drainage patterns, treatment and quantity control).

5.5.1. Goal: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policies:

- a) *All new land development (residential subdivisions, multiple family dwelling development, and industrial and commercial developments) shall be connected to a public water system.*
- b) *All new development served by the Beaverton Water Division shall be reviewed by the City to determine that the pressure of water available to serve the proposed development meets City standards.*

The applicant proposes to connect to the existing City of Beaverton water line in the right-of-way of 155th Avenue to service the development as well as meet fire hydrant and fire flow requirements. The water line extensions also include tying into the water line north of the site. All connections will be constructed in accordance with the City's review as conditioned through the site development permit of Facilities Review. Specific review of system improvements will occur through Site Development and Building Divisions permitting for compliance with all local, state, and federal regulations relating to potable water.

5.6.1. Goal: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policies:

- a) *All new land development (residential subdivisions, and multiple family dwelling, industrial, and commercial developments) shall be connected to the City sewer system.*
- b) *When sewer service is extended into an area that contains existing development, all existing habitable buildings shall be connected to the new sewer if they are within 100 feet of the sewer line and if gravity lateral sewer lines can serve them.*

The development will connect to the existing sanitary sewer system located in the SW 155th Avenue right-of-way. Sanitary infrastructure details will be reviewed through the site development permits. All dwellings will be served and will meet all City construction standards. Technical findings and conditions are reviewed through Facilities Review.

5.7.1 Goal: Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents

Policies:

- e) *The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.*

The City provided Beaverton School District notice of application and a copy of the development proposal. The School District subsequently submitted a Service Provider statement indicating that the proposal will have a *negative impact* on the school district. State law prevents local jurisdictions from denying a land use application on the basis of adverse school enrollment impacts. As a part of the School District's Student Safety Impacts analysis, the School District recommends the developer provide sidewalks within the subdivision and linkages that will provide safe student pedestrian access to school bus stops.

5.8.1. Goal: Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

Policies:

- d) *The City shall notify THPRD of development proposals that may potentially impact a present or future park site to allow the district the opportunity to comment, purchase or request dedications.*

At the time of the development application, the City provided Tualatin Hills Park and Recreation District notice of application of the PUD proposal. The Park District has not submitted a Service Provider letter in regards to the project.

6.2.1. Goal: Transportation facilities designed and constructed in a manner to enhance Beaverton's livability and meet federal, state, regional, and local requirements.

Policies:

- a) *Maintain the livability of Beaverton through proper location and design of transportation facilities.*

The development will provide an interim vehicular connection to the street system on 155th Avenue at the southeasterly corner of the site, with a future permanent site access to be located in the center of the site, aligning with SW Colbalt Lane once 155th Avenue's improvements are constructed. The location of the proposed interim access has been determined to be the safest access point to 155th Avenue until future 155th improvements occur. As explained in the Facilities Review report Criterion #1 the applicant will not be required to construct the improvements to their 155th Avenue frontage, because the improvements exceed the scope of proportional share improvements (justified, reasonably related to, and roughly proportional to the impacts of the proposed development) required of this

development. This applicant is required in lieu of actual construction of street improvements to submit written waivers of non-remonstrance to the formation of a local improvement district for the purpose of providing the needed off-site improvements in the future. Plan Sheet 8 of 9 illustrates the improvements the applicant will construct and how such future street improvements will be constructed. In both access scenarios, access will be available to serve the development. Conditions of approval have been recommended by the Committee to ensure sight distance will be met with the interim access.

- d) *Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.*

One (1) temporary vehicular access is proposed along with a future permanent access, replacing the temporary access. No through traffic will occur on the private street system as the street will only serve the development.

6.2.2. Goal: A balanced transportation system.

Policies:

- a) *Implement Beaverton's public street standards that recognize the multi-purpose nature of the street right-of-way for a combination of utility, pedestrian, bicycle, transit, truck, and auto uses, and recognize that streets are important to community identity and provide a needed service.*

As described in Criterion #1 of Facilities Review and Policy '6.2.1.a' previously, the public street system will not be built to the appropriate standards by the developer. However, the applicant is required in lieu of actual construction of these improvements submit written waivers of remonstrance to the formation of a local improvement district for the purpose of providing the needed off-site improvements in the future. The subdivision's internal street system will be private streets which will have adequate width and provide the opportunity for locating public utility systems.

- b) *Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps and the Development Code and Engineering Design Manual and Standard Drawings requirements.*

The private streets internal to the site include sidewalks which lead to the bark chip path of SW 155th Avenue. Dedication of 155th Avenue will allow for future roadway improvements, including but not limited to bicycle and sidewalk improvements.

- c) *Provide connectivity to each area of the City for convenient multi-modal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, employment and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.*

In association with the proposal, staff find the proposed and conditioned improvements along with conditions of waivers will satisfactorily meet the connectivity needs required by the policy.

- d) *Develop neighborhood and local connections to provide adequate circulation into and out of neighborhoods.*

Staff find that the site is bordered by existing developed properties, which have not have access to this property. The proposed interim and future permanent vehicular access into the site has been reviewed by the Facilities Review Committee and recommended for approval with conditions. The subdivision includes a private street system that locates the interim access near the southeasterly corner of the development.

- f) *Design streets to accommodate transit while minimizing impacts to traffic flow.*

The nearest Tri-Met bus service is located on Murray Boulevard. Tri-Met has not provided comments to the Facilities Review Committee addressing transit needs and potential future transit stops within the vicinity of the development.

6.2.3. Goal: A safe transportation system.

Policies:

- b) *Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.*

The applicant has not proposed collector street standard improvements to SW 155th Avenue. As previously written in this report and through Facilities Review criterion #1, the project will not need to construct these improvements to 155th Avenue, however waivers of remonstrance are recommended as conditions of approval.

- d) *Designate safe routes from residential areas to schools.*

The applicant proposes pedestrian connections to 155th Avenue where an existing bark chip trail is located. Future roadway improvements will provide an adequate connection to the surrounding street system and provide a piece of the route to area schools.

- f) *Provide satisfactory levels of maintenance to the transportation system in order to preserve user safety, facility aesthetics, and the integrity of the system as a whole.*

The private streets and alleyways will be maintained by the Homeowner's Association, while the public streets will be maintained by the City of Beaverton.

- g) *Maintain access management standards for streets consistent with City, County, and State requirements to reduce conflicts among vehicles, trucks, bicycles, and pedestrians. Preserve the functional integrity of the motor vehicle system by limiting access per City standards.*

The applicant has submitted a Traffic Analysis by Howard Roll concluding the proposed development will not impact the surrounding existing transportation system. Through the Facilities Review Committee, transportation impacts have been addressed and where appropriate conditions of approval have been recommended to be adopted.

- h) *Ensure that adequate access for emergency services vehicles is provided throughout the City.*

Tualatin Valley Fire and Rescue and the City of Beaverton's Police Department have reviewed the proposal, and with conditions of approval, the agencies are satisfied with the access for emergency vehicles into the site.

6.2.4. Goal: An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.

Policies:

- c) *Maintain levels of service consistent with Metro's Regional Transportation Plan and the Oregon Transportation Plan. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060 and as appropriate include a Transportation Impact Analysis that shows that the proposal will not degrade system performance below the acceptable two-hour peak demand-to-capacity ratio of 0.98. If the Adopted Comprehensive Plan forecasts a two-hour peak demand-to-capacity ratio greater than 0.98 for a facility, then the proposed amendment shall not degrade performance beyond the forecasted ratio. (Ordinance 4301)*

Reduce traffic congestion and enhance traffic flow through such system management measures as intersection improvements, intelligent transportation systems, incident management, signal priority, optimization, and synchronization, and other similar measures.

A traffic analysis was required and was submitted with the application materials. The trip generation of the proposed 46 single-family units meets the threshold requirement (Development Code Sec 60.55.10.7 Traffic Analysis). Staff cite the findings for Facilities Review Criterion #1 as applicable to this policy. In the findings of the Facilities Review Committee, Development Code Sec 60.55.20 requires that the Traffic Impact Analysis include an analysis of the potential worst-case long-range impacts to the local transportation system identified in this policy and the regional transportation system identified in Metro's Regional Transportation Plan and Oregon Transportation Plan. The forecast year of the Comprehensive Plan Transportation Element, 2020. The Traffic Impact Analysis found that the Covington Park development was an assumed use in the TSP and is consistent with the Comprehensive Plan designation and the use would have a negligible impact on the long-term transportation system needs, as shown in the capacity comparisons in the traffic analysis. Staff concurs with the assumption of the submitted Traffic Impact Analysis and find that through the conditions of approval recommended through the Facilities Review Committee the policy will be met.

6.2.5. Goal: Transportation facilities that serve and are accessible to all members of the community.

Policies:

- a) *Construct transportation facilities, including access to and within bus stop waiting areas, to meet the requirements of the Americans with Disabilities Act.*

The improvements include ADA compliant walkways throughout the site where required. The Facilities Review Committee has made a positive finding for Section 40.03.10 that the project will meet ADA requirements.

8.2.1. Goal: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources.

Policies:

- e) *Protect investments in the City by managing stormwater runoff.*

The proposed stormwater system was reviewed by the Facilities Review Committee for adequacy of erosion control and to minimize impacts to water quality. Through recommended conditions of approval, the stormwater sources will be protected from potential adverse impacts of construction activities associated with the Covington Park development.

**9.2.3.1 Goal: To support a high quality of life for all of Beaverton's citizens.
Policies:**

- a) *To require a high quality of new development within the City to create an attractive environment.*

The applicant states that the proposal uses the flexibility provided by a PUD application process to design a detached single family development which is compatible and similar in scale to the existing neighborhood. This compatibility ensures a high quality of life found in Beaverton neighborhoods. Staff find that the applicant's proposal of 46 single family detached units which will meet the minimum density requirement; providing approximately 20% common open space – internally and along SW 155th Avenue; providing an increased setback to the southern property line; the attempt to accommodate as many on-street parking spaces as possible; providing a private street which meets public width and radii standards; accommodate interim as well as future primary access points; while responding to various neighbor's compatibility concerns with a previous application on the site, staff find the applicant has proposed a reasonably compatible single family development within a constrained site.

Therefore, staff find that by satisfying conditions, the criterion is met.

- 7. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.***

Facts and Findings:

The applicant states that providing the proposed looped private street system the site can accommodate the proposal for 46 dwellings and common open space. Staff concurs that the proposed design layout through the PUD option does allow for the proposal to meet parent parcel setback requirements, minimum density needs, common open space requirements, parking, and minimizes grading along the property lines, while not affecting the perimeter trees. The development is amply sized and has a configuration that provides compatibility with surrounding areas, including maintaining the general topographical change over the buildable area of the site, and is suitably designed to accommodate the design challenges described under Criterion #6 above. Through recommended conditions of approval staff find the site will meet the criterion for approval.

Therefore, staff find that by satisfying conditions, the criterion is met.

- 8. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area of the subject site.***

Facts and Findings:

The proposed development is located on R2 zoned property, which allows attached, detached, and multiple family opportunities, as long as minimum density is achieved and maximum density is not exceeded. The 46 detached dwelling units meets the minimum density standard of 46 units. As a detached product, the applicant has responded to concerns the neighborhood and the comments that the Board of Design Review had expressed with the previous application on the same site a year ago. The previous proposal was to construct three (3) multi-family buildings with a total of 60 dwelling units. When applying for single family detached dwelling units, the Development Code's Site Development Requirements for a R2 district does not provide a clear subdivision opportunity for detached single family, therefore a PUD has been submitted which requires the development to meet this criterion of approval.

Staff find that the proposal is a development that has minimized impacts to the surrounding area, by opting to provide single family detached homes, increasing the southern property line's 10 foot required setback to 15 feet, providing three (3) common open space areas, includes varied home sizes and garage orientations, and provides adequate common open space. The applicant has submitted cross-sections of the site showing how the proposed homes will be located at a contour, that with a three (3) story product, the perceived building height will be similar to the homes on the southerly and northerly edge of the property. Total distance between existing homes and the proposed homes are noted as being approximately 60 feet. Therefore, the location, size, and functional characteristics of the development proposal are made reasonably compatible with and will have a minimal impact on the livability and development of properties in the surrounding area.

Therefore, staff find that the criterion is met.

9. The lessening of the Site Development Requirements results in benefits to the enhancement of site, building, and structural design or preservation of natural features.

Facts and Findings:

The project proposes to meet or exceed the parent parcel setback requirements. In addition, the applicant proposes to lessen setbacks requirements on individual lots and lot dimensions internal to the site. Staff find that as a result of these lessening of Site Development Requirements for individual lots will result in minimizing the potential for adverse effects due to development of the site including minimum grading around the perimeter of the site. The site's constraints include abutting properties which are built-out on three sides. SW 155th Avenue provides site constraints in that future roadwork will need to occur to assist in lowering the existing roadway elevation. These constraints have posed a series of challenges to

designing a development which will meet minimum density requirements of the site, provide a compatible building type to the neighborhood, while also providing common open space and internal circulation. Staff therefore find that because the site proposal provides a private looped street system to access a single family detached dwelling development, three (3) tracts of common open space, and will meet minimum density standards, that the lessening of the Site Development Requirements will result in a benefit and enhancement of the site, as perceived from abutting neighbors and by future residents of Covington Park, greater than if either a standard subdivision or attached dwelling development was proposed on the site.

Therefore, staff find that the criterion is met.

10. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Facts and Findings:

The applicant has submitted the required application materials for review of a Conditional Use-Final Planned Unit Development application. This review process is a required step to receive City approval for the applicant's proposal. The developer has submitted two (2) additional applications including, a Land Division-Preliminary Subdivision (LD2004-0046) and a Tree Plan Two (TP2004-0028). These applications are being reviewed concurrently with the PUD application. The Commission will review all three (3) applications at one public hearing. Approval of the PUD is required in order for the Land Division and Tree Plan to ultimately be approved.

Therefore, staff find that the criterion is met.

CONDITIONAL USE CONCLUSION

Based on the facts and findings presented, staff conclude the proposal, **CU2004-0024 (Covington Park PUD)**, meets the criteria for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2004-0024 (Covington Park PUD)**, if the associated Covington Park PUD applications are ultimately approved, and thereby are subject to the conditions of approval identified in the Conditions of Approval, Attachment E.